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Phone: 571-272-3600		Dater	6/14/2007	
Res	Ser No. 19/6571,396 -	Petition To CC:		
	Withdraw Holding Of At	pandonment		
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Dear Of	fice of Petitions:			
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WOLFF LAW OFFICES, PLLC - FILING RECORD

Attorney Docket No.:

HAM-PAUS0001

Today's Date:

June 14, 2007

Attorney:

Kevin A. Wolff

Fee Transmitted Herewith:

\$0.00

Serial No.:

10/517,396

Filing Date:

November 28, 2004

Title:

METHOD AND APPARATUS FOR FORMING BORED

HOLE

Inventors:

Theodore Roy Dimitroff

VIA Facsimile

TRANSMISSION HEREOF ACKNOWLEDGES RECEIPT OF:

DOCUMENTS BEING FILED:

- (1) Transmittal Form
- (2) Petition To Withdraw Holding Of Abandonment Based On Failure To Receive Office Action
- (3) Copies of 2 Executed Power of Attorney forms recently filed
- (4) Copy of PAIR Image File Wrapper Available Documents listing for US Patent Application No. 10/517,396 dated 6/7/2007 (2 pages)
- (5) Copy of PAIR information showing the United States Postal Service Return to Sender label and USPTO Received Stamp dated October 23, 2006

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Skinature	/Kevin Alan Wolfi/	284		***				
Typad or printed name	Kevin Alan Wolff	7		Date	6/14/07			

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Theodore Roy Dimitroff

Group Art Unit: 3672

Appln. No.: 10/517,396

Examiner: Nicole A. Coy

Filed: November 28, 2004

Confirmation No.: 5576

Title: METHOD AND DUAL REAMER APPARATUS FOR FORMING BORED

Attorney Dkt No.: HAM-PAUS0001

HOLE

Date: June 14, 2007

PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE TO RECEIVE OFFICE ACTION

Mail Stop Petitions

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This response is respectfully submitted in reply to the Notice of Abandonment included in the Office Action mailed May 29, 2007. Withdrawal of this Notice of Abandonment is respectfully requested.

Unfortunately, the earlier issued Office Action mailing, date mailed October 12, 2006, was never received by attorney Kenneth R. Schaefer or the Applicant prior to the Notice of Abandonment, as evidenced by the USPTO Transaction History record as found in the Public PAIR system. Recently our firm was contacted to take over the prosecution of this patent

Further, Applicant submits herewith evidence from the USPTO records in Public PAIR that the Office Action dated mailed on October 12, 2006 was never received by the Attorney of record, Kenneth R. Schaefer, or the Applicant, and therefore neither the attorney of record nor the Applicant had notice of the pending Office Action dated mailed on October 12, 2006. Attached hereto is a printout of the Image File Wrapper Available Documents list from the USPTO Public Pair system for Patent Application Serial No. 10/517,396. According to the Available Documents list, the Non-Final Rejection Office Action mailed on October 12, 2006 was returned to the USPTO as undelivered to the USPTO Mail Room on October 23, 2006. The complete document was 13 pages. A viewing of the complete document received by the USPTO Mail Room on October 23, 2006 shows clearly that the Office Action dated mailed from the USPTO on October 12, 2006 was returned to the USPTO on October 23, 2006 for the reason that a Request to Forward Mail filed with the United States Postal Service by Mr. Schaefer had expired. As such, the United States Postal Service returned the Office Action to the USPTO on October 23, 2006. This is evidenced by the last page of the 13 page document scanned into the Image File Wrapper, a copy of which is attached hereto. As a result, no Response to the Office Action was ever prepared and sent to the USPTO because the Office Action was never delivered to the Attorney of record or the Applicant.

In a June 14, 2006 telephone conversation, the Examiner, Nicole Coy, confirmed that this information in the USPTO Image File Wrapper as provided in PAIR was correct and that the Office Action mail dated October 10, 2006 was received back by the USPTO on October 23, 2006, and never mailed again to the Attorney or Applicant before the Notice of Abandonment was mailed out by the USPTO on May 25, 2007.

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Patent Official Gazette Search Patents & Applications	44 45 555	Search Information including classification,					
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Other	10-12-2006	Drawings Required	1				
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	10-12-2006	Index of Claims	2				
	10-12-2006	Bib <u>liog</u> rap <u>nic D</u> ata Sheet	1				
	10-04-2006	Examiner's segreti strategy and results	2				
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	11-29-2004	Transmittal of New Application	3				
	11-29-2004	Specification	7				
	11-29-2004	Preliminary Amendment	1				
	11-29-2004	· Oath <u>or Declaration</u> f <u>ile</u> d	3				
	11-29-2004	Miscellaneous Internal Document	1				
	11-29-2004	Fee Worksheet (PIO- 06)	1				
	11-29-2004	<u> Drawings</u>	4				
	11-29-2004	<u>Pocuments submitted</u> with 371 Applications	19				
	11-29-2004	Documents submitted with 371 Applications	12				
	11-29-2004	<u>Documents submitted</u> with 371 Applications	4				
	11-29-2004	Documents submitted with 371 Applications	4	$\overline{\boldsymbol{\omega}}$			
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	11-29-2004	Claims	6				
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Page 2 of 2

11-29-2004	Abstract	1	
11-28-2004	Miscellanerius Internal Document	1	
11-28-2004	F <u>ce Worksheet (PTO-</u> 06)	1	
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